

Characters in The Trial of Tom Dula

Tom Dula

A 21 year old Confederate Veteran, reported to be a ladies man and known to be courting both Ann Melton and Laura Foster

Laura Foster

A 21 or 22 year old woman, daughter of Wilson Foster with whom she lived along with her younger siblings, last seen on May 25, 1866

Ann Foster Melton

A 23 year old woman, wife of James Melton, cousin of Pauline and Laura Foster, childhood friend of Tom Dula, illegitimate daughter of Lotty Foster. Mrs. Melton had two daughters and died in the mid 1870s

James Melton

A shoemaker and husband of Ann Melton, married Ann Melton when she was 14 or 15, after Ann Melton's death he married Louisa Gilbert

Pauline Foster

Cousin of Ann Melton, staying with the Melton's since March 1866

Wilson Foster

Tenant farmer, father of Laura Foster

Lotty (Carlotta) Foster

Mother of Ann Melton

Col. James Isbell

Large landowner in the area

Dr. George Carter

Large landowner and only doctor in the area

Thomas Foster

Brother of Ann Foster Melton and illegitimate son of Lotty Foster

Mary Keaton Dula

Widowed mother of Tom Dula, her deceased husband had been Thomas. P Dula, her daughter Eliza Dula was married to Anderson Dula and lived with Mrs. Dula sometimes

Col. James Grayson

Large landowner in Tennessee near the NC state line, employed Tom Dula briefly and it was on his farm that Dula was arrested

Neighbors and other tenant farmers

Martha Gilbert, Washington Anderson, James Scott, Betsy Scott, Carl Carlton, and J.M. Winkler

Overview of Events : Tom Dula Trial Testimony

Thursday, May 24, 1866

Pauline Foster said that Ann Melton told her that she was going to kill Laura Foster, threatened Pauline to keep her quiet, and then left. She also said that she saw Tom Dula coming to the Melton's house from the direction in which Ann Melton had gone earlier that day.

Lotty Foster said that Tom Dula came to her house to borrow a mattock and left with it going towards his mother, Mary Dula's house; she did not get her mattock back for 3 or 4 days after she had asked for it twice; Tom Dula came back to the house about noon. Ann Melton was there to bring a canteen of liquor for Tom Dula. They had dinner (the noon meal) and both left about 3:00 p.m.

Martha Gilbert testified that she saw Tom Dula on the path between Tom Dula's mother's house and Lotty Foster's and he had a mattock and was digging alongside the path. She asked what he was doing and he said skelping (digging or fixing) the path; this was a 200-300 yards from the grave, 100 yards from Mrs. Dula's, and above the old field towards Lotty Foster's.

Pauline Foster said that Ann Melton left after dinner and went in the direction of Ridge Road; she did not come back until about an hour before daybreak on Friday

Washington Anderson said that he went to James Melton's on Thursday; James Melton, Jonathan Gilbert and Pauline Foster were there; Ann Melton was not

Friday, May 25, 1866

Washington Anderson returned to James Melton's on Friday morning and Ann Melton was there in bed and her shoes were wet.

Wilson Foster testified that Laura foster went outside about an hour before daybreak but came back in after a few minutes. When he woke up about daybreak she was gone and so was his mare. He tracked his mare to the Bates place where he lost the trail.

Betsey Scott testified that she saw Laura Foster riding a mare coming from and about a mile from Wilson Foster's house with a bundle of clothes in her lap. Betsey Scott asked Laura Foster if Tom Dula had come and Laura Foster said yes, just before daybreak; she asked where Laura Foster was going to meet him and she said the Bates place.

Carl Carlton testified that he saw Tom Dula on Friday morning a little after the sun came up (about 6:45 am) on the path from his house towards the Bates place; he came from the direction of Wilson Foster's (several others testified to the same).

Pauline Foster testified that she saw Tom Dula early Friday morning about 8 or 9 am at James Melton's house. She was going to the field to drop corn but saw that the cows had come home so she returned to get milk buckets. Back at the house she found Tom Dula talking to Ann Melton.

Lotty Foster said that after breakfast Tom Dula came from the direction of James Melton's. She gave him milk and he went towards his house. She saw him again late in the day going towards the Bates place. She also noticed two places that had been freshly dug on the path towards Tom Dula's mother's house.

Thomas Foster said that after breakfast he saw Tom Dula coming towards James Melton's on the Stony Fork Road before the turn off to the Bates place. He saw him again the same day about sundown going in the same direction. About 15 minutes later Thomas Foster went on horse back to James Melton's; Tom Dula was not there but Ann Melton was.

Pauline Foster said that Ann Melton returned on Friday about an hour before daybreak; her shoes and dress were wet. This was the same day the Tom Dula had come in to talk to Ann Melton. Wilson Foster came to James Melton's about dark and left 2 or 3 hours after night fall. Thomas Foster was there too and stayed all night. William Holder and Washington Anderson were there as well. She said that at this gathering Wilson Foster said that he did not care if Laura Foster came back as long as he got his mare back. She also said that he would kill Laura Foster if he found her.

Mary Dula said that Tom Dula was not at her house early on Friday morning. She left and when she got back about noon he was there and stayed until sundown. About 3:00 p.m. she went to take care of her cows and saw Carson Gilbert and Jessie Gilbert, who asked her where Tom Dula was and she said that she did not know. She said that he stayed with her for supper and the night.

Saturday, May 26, 1866

Pauline Foster said that in the early morning Tom Dula came and he and Ann Melton talked quietly for half an hour. She said to him that she thought he had run off with Laura Foster and he said he had no use for Laura Foster. Pauline Foster said he stayed around for about 4 weeks after Laura Foster disappeared and then went to Tennessee. Wilson Foster's mare returned home with the remains of a chewed rope on her.

During the summer

J.M. Winkler said he was part of the general search for Laura Foster. He said that Tom Dula never helped in the search. He helped search the Bates place and saw the chewed rope tied around a dogwood. It matched the rope on the mare. They found another spot about 200 yards away on the same side of Stony Fork Road; it was discolored and had an offensive odor and looked different from the surrounding earth. It was about 3/4 of a mile from the blood spot to the grave.

Col. James M. Isbell said that they found the grave (probably about September 1, 1866). The removed earth had been carried away and sod replaced and that is why they missed it during the initial search; could see signs of a mattock in the hard side of the grave; the grave was not far from the path leading to Lottys Fosters but on a secluded ridge covered by thickets.

Dr. George N. Carter testified that he examined the body of the female at the spot where it was found. There was a cut in the clothes that corresponded with the cut in the body on the left breast between the third and fourth ribs. The grave was 2.5 feet deep and very narrow, not long enough for the body so the legs were drawn up. Due to the decomposition of the body he could not tell if the wound was fatal but if it penetrated the heart it would have been. There was a bundle of clothes in the grave.

Pauline Foster testified that on June 25 Tom Dula came to James Melton's and he and Ann Melton had a tearful conversation in which Dula said he was leaving Wilkes County but would return for his mother and Ann Melton later in the year.

Col. James Grayson testified that Tom Dula arrived in the summer and worked on his farm long enough to earn money to buy a new pair of boots. Tom Dula was arrested around July 11, 1866 on Grayson's farm.

The Futch Family

The Futch Family lived in New Hanover County, North Carolina, around the Holly Shelter area during the time of the Civil War (1861-1865). Like many families during that time, The Futches had a male family member enlisted in the Armed Forces. John Futch, Co. K, 3rd North Carolina Troops often wrote letters to his wife, Martha Ramsey Futch and the rest of his family while he was at war. John Futch enlisted February 1, 1862 in New Hanover County and was reported absent without leave from August 11-31, 1863. It was because of this “absence without leave” that he was shot for desertion on September 5, 1863. By reading original letters like the ones sent between the Futch Family, we can better understand that period in history from a first hand account.

MINI WEBQUEST

In this activity, you will get a look at how the Futch Family (and many other Civil War Families) may have felt and how they corresponded. By reading information from credible sources, including primary source documents, you will see how original ideas and images can inform our history.

Read the questions pertaining to the Futches and follow the links above them to find their answers. You should then record your answers on the worksheet in the space provided. (The links will open in pop up windows.)

[Read the original letter sent from John to Martha Futch.](#)

[Read the original letter sent from Catherine Ramsey to John.](#)

1. What do you learn about Mrs. Ramsey from her letter?
2. What do you learn about John Futch from Mrs. Ramsey's letter? From his letter?
3. What do we learn about the home front during the Civil War?

[Read the linked article on civil war mail from the National Postal Museum.](#)

4. How did letters get “mailed” during the war?

[Use Google Maps to search for Holly Shelter, NC to describe its location.](#)

5. Where is Holly Shelter?